

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6954**

**BILL NUMBER:** HB 1113

**NOTE PREPARED:** Dec 30, 2008

**BILL AMENDED:**

**SUBJECT:** Firearms in Locked Vehicles or Secure Locations.

**FIRST AUTHOR:** Rep. Ruppel

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill prohibits a person from adopting or enforcing a policy or rule that would prohibit or have the effect of prohibiting an individual who has a valid state-issued permit from legally possessing a firearm that is: (1) locked in the individual's vehicle while the vehicle is in or on the person's property; or (2) stored at a location in or on the person's property that is secure and allows the individual to check the firearm in and out when entering and leaving the person's property.

It provides that the prohibition against such a policy or rule does not apply to firearm possession: (1) on school property, on property used by a school for a school function, or on a school bus; (2) on certain child care and shelter facility property; (3) on penal facility property; or (4) that would violate federal law.

The bill provides that a person who, in compliance with the prohibition, does not adopt or enforce such a policy or rule is not liable for resulting injury or damage. It authorizes a civil action for damages, costs, attorney's fees, and injunctive relief to remedy a violation of the prohibition.

It also deletes an outdated reference.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** There are no data available to indicate if additional civil actions would occur resulting from a person adopting or enforcing a policy prohibiting the possession of firearms on certain property. If additional civil actions occur and court fees are collected, revenue to the state General Fund may

increase. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$18), the public defense administration fee (\$3), the court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, city and town courts.

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.